



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Russell L. Miller et al.
Serial No.: 10/817,559
Filing Date: April 2, 2004
For: BATTERY RACK AND SYSTEM
Art Unit No.: 1745
Confirmation No.: 3797

MAIL STOP MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING/EXPRESS MAIL

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Date of Deposit 12/22/04

I hereby certify that this paper, which is a RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION, with regard to Serial Number 10/817,559, filed April 2, 2004 (Our File No. D1243 1010.1 (01243.0133.5)), and all referenced enclosures are being deposited with the United States Postal Service “Express Mail Post Office to Addressee” service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

C. Robert Rhodes
Registration No. 24,200

Mailed By:

Jan L. Thomas



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Alexandria, VA 22313-1450

Sir:

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF APPLICATION - FILING DATE GRANTED**

This is in response to the Patent and Trademark Office Notice to File Missing Parts of Nonprovisional Application--Filing Date Granted, Form PTO-1533, mailed June 22, 2004. Enclosed herewith is a copy of said form, along with surcharge of \$130; a Petition to File on Behalf of Inventor Refusing to Sign, along with petition fee of \$130, and including a Petition for Extension of Time (4th Month), along with the extension fee of \$1590; a Declaration executed by three of four co-inventors; and a Power of Attorney. Please make these documents of record regarding the above-identified serial number.

The Director is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 09-0528.

12/28/2004 HBEYENE1 00000032 10817559

01 FC:1254

1590.00 OP

Respectfully submitted,

C. Robert Rhodes

Reg. No.: 24,200

WOMBLE CARLYLE SANDRIDGE & RICE, PLLC

P.O. Box 7037

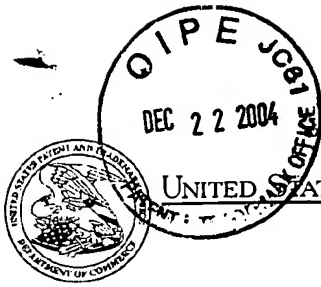
Atlanta, GA 30357

Tel: 336-574-8040

Fax: 336-574-4512

Date: 12-22-04
File: D1243 1010.1 (01243.0133.5)

12/27/04



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/817,559	04/02/2004	Russell L. Miller	D1243 1010.1

CONFIRMATION NO. 3797

FORMALITIES LETTER



OC000000013020791

C. Robert Rhodes
 Womble Carlyle Sandridge & Rice, PLLC
 P.O. Box 7037
 Atlanta, GA 30357-4512

Date Mailed: 06/22/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12/28/2004 MBEYENE1 00000032 10817559

FILED UNDER 37 CFR 1.53(b)

03 FC:1051

130.00 0P

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- A new oath or declaration, identifying this application number is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:
- does not identify the citizenship of each inventor.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE